

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

SUSAN PEDER, for herself and as assignee of  
the CHAPTER 7 BANKRUPTCY ESTATE OF  
X10 WIRELESS TECHNOLOGY, INC.

No. 2:17-cv-01868 RSL

**CLAWBACK ORDER PURSUANT TO  
F.R.E. 502**

[PROPOSED]

NOTING DATE: February 16, 2018

SCOTTSDALE INDEMNITY COMPANY also  
doing business as SCOTTSDALE INSURANCE  
COMPANY, an insurer authorized by the  
Washington insurance commissioner, and  
FREEDOM SPECIALTY INSURANCE  
COMPANY, an insurer authorized by the  
Washington insurance commissioner.

#### **Defendants.**

**CLAWBACK ORDER PURSUANT TO F.R.E. 502**

Federal Rule of Evidence 502(d) authorizes the Court to enter an order providing that any applicable privilege or protection is not waived by disclosure connected with the litigation pending before the court. The parties have stipulated, and good cause appearing,

IT IS HEREBY ORDERED, pursuant to Federal Rule of Evidence 502, that

**CLAWBACK ORDER PURSUANT TO F.R.E. 502 - 1**  
Case No. 2:17-cv-01868-RSL

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1. The disclosure, in oral or written form, of any information which would otherwise be protected by Federal Rule of Evidence 501, Federal Rule of Evidence 502, and/or any privilege or other disclosure protection applicable under any state statute or law, shall not operate as a waiver of the applicable privilege or the work-product protection.

2. Pursuant to Federal Rule of Evidence 502(d), any disclosure protected by this Order also is not a waiver of the applicable privileges or work-product protection in any other Federal or State proceeding.

3. Should counsel for any party receive a document which he or she reasonably believes contains material protected by a privilege under Federal Rule of Evidence 501, Federal Rule of Evidence 502 and/or any privilege or other disclosure protection applicable under any state statute or law, counsel shall immediately notify counsel for the holder of the privilege and shall return all copies of the document upon request, without waiving the receiving party's right to seek an order from the Court that the document(s) in question are not privileged.

IT IS SO ORDERED.

**21st**  
Dated this 16<sup>th</sup> day of February, 2018.

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THE HONORABLE ROBERT S. LASNIK  
UNITED STATES DISTRICT COURT JUDGE

**CLAWBACK ORDER PURSUANT TO F.R.E. 502 - 2**  
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